

**United States Bankruptcy Court  
Central District of California  
Los Angeles  
Robert Kwan, Presiding  
Courtroom 1675 Calendar**

**Tuesday, August 15, 2023**

**Hearing Room 1675**

1:30 PM

**2:00-00000**

**Chapter**

**#0.00** During the COVID-19 pandemic, and until further notice by the Court, or as otherwise ordered by the Court, appearances for matters heard by Judge Kwan in Courtroom 1675 may be made in-person, by video through Zoom for Government (ZoomGov), or by telephone through ZoomGov. If appearing through ZoomGov, hearing participants and other parties in interest may connect to the video and audio feeds, free of charge, using the connection information provided below.

As a hearing participant, you are free to choose any of these options, except that evidentiary hearings/trials must be in person in the courtroom (unless otherwise ordered). You do not need to call Chambers for advance approval or notice.

If you choose to appear in person, you must comply with all applicable Centers for Disease Control and Prevention (CDC) guidelines regarding the wearing of face coverings and physical distancing inside and outside of the courtroom. Pursuant to the Court's General Order 21-05, where an in-person matter is held in a courtroom, all participants are to observe all safety protocols posted and announced in the courtroom, and Judge Kwan as the presiding judge will determine the protocols in effect in his assigned courtroom consistent with guidance from the CDC. By order of Judge Kwan, all persons that choose to appear in person must wear a face covering or mask covering their nose and mouth, and must observe physical distancing inside and outside of the courtroom. However, with permission of Judge Kwan, a witness testifying on the witness stand may remove his or her face covering while testifying in order for the court and the parties to observe the witness's demeanor. You should not enter the courthouse when feeling unwell, if you have tested positive for COVID-19, or if you fall within the quarantine recommendations after having come into close contact with someone who has COVID 19.

ZoomGov logon information for all matters on today's hearing calendar:

**Video/audio web address:** <https://cacb.zoomgov.com/j/1609035874>

**ZoomGov meeting number:** **160 903 5874**

**Password:** **832184**

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**CONT...**

**Chapter**

**Telephone conference lines: 1 (669) 254 5252 or 1 (646) 828 7666**

Please connect at least 5 minutes before the start of your hearing, and wait with your microphone muted until your matter is called.

Zoomgov hearing etiquette: (a) wait until the judge calls on you, so everyone is not talking at once; (b) when you first speak, state your name and, if you are an attorney, whom you represent (do not make your argument until asked to do so); (c) when you make your argument, please pause from time to time so that, for example, the judge can ask a question or anyone else can make an objection; (d) if the judge does not see that you want to speak, or forgets to call on you, please say so when other parties have finished speaking (do not send a "chat" message, which the judge might not see); and (e) please let the judge know if he mispronounces your name or uses the wrong pronoun.

Docket 0

**Tentative Ruling:**

- NONE LISTED -

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**2:16-24931 Anthony Roy Martinez**

**Chapter 7**

Adv#: 2:17-01158 Carter et al v. Martinez

**#1.00** Cont'd status conference re: Complaint to except debt from discharge for willful and malicious injury and as money obtained under false pretenses; fraud [11 U.S.C. § 523 (a)2)(A) & (6)]  
fr. 3/22/22, 5/24/22, 8/9/22, 11/29/22, 3/28/23, 5/2/23

Docket 1

**Tentative Ruling:**

Revised and updated tentative ruling as of 5/1/23. Off calendar. Having reviewed the joint status report filed on 5/1/23, the court on its own motion continues the status conference to 8/15/23 at 1:30 p.m. No appearances are required on 5/2/23.

Prior tentative ruling as of 3/27/23. The court has reviewed the joint status report filed on 3/27/23, requesting that the status conference be continued after the preliminary hearing in defendant's state court criminal case scheduled for January 17, 2023, presumably meaning April 20, 2023 which was the date they stated was the new continued date of hth preliminary hearing. Otherwise, no tentative ruling on the merits. Appearances are required on 3/28/23, but counsel and self-represented parties must appear in person or remotely through Zoom for Government in accordance with the court's remote appearance instructions.

<b>Party Information</b>
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**Debtor(s):**

Anthony Roy Martinez

Represented By  
Christian T Kim

**Defendant(s):**

Anthony Roy Martinez

Pro Se

**Plaintiff(s):**

Lance Carter

Represented By

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**CONT... Anthony Roy Martinez**

**Chapter 7**

Dana M Douglas

Jean Holmes

Represented By  
Dana M Douglas

Carriage Estates LLC

Represented By  
Dana M Douglas

Adamantine Investments LLC

Represented By  
Dana M Douglas

Sterling Holdings LLC

Represented By  
Dana M Douglas

Lance Carter IRA 419990

Pro Se

**Trustee(s):**

Wesley H Avery (TR)

Pro Se

**United States Bankruptcy Court  
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**Tuesday, August 15, 2023**

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**2:20-18515 Fereidoun Chaparli**

**Chapter 7**

Adv#: 2:20-01687 Roozafzai et al v. Chaparli et al

**#2.00** Cont'd status conference re: Complaint to determine non-dischargeability of debts/claims [11 U.S.C. §§523(a)(2), 523(a)(4), and 523(a)(6)] fr. 7/5/22, 9/13/22, 12/16/22, 1/24/23, 3/28/23, 5/2/23

Docket 1

**Tentative Ruling:**

Updated tentative ruling as of 4/26/23. At a prior hearing, counsel for plaintiffs indicated that they sought a higher amount of damages than alleged in the complaint and that they intended to liquidate their claims in their state court action against defendant rather than amending the complaint in this adversary proceeding. Since defendant has been granted a discharge in the underlying bankruptcy case, the automatic stay is lifted pursuant to 11 U.S.C. 362(c)(2)(C), but the stay is replaced with the discharge injunction of 11 U.S.C. 524. Plaintiffs act at their own risk in proceeding to liquidate the prepetition debt they claim against defendant in violation of the discharge injunction and may seek an order declaring that their liquidation of the debt would not violate the discharge injunction in that they are only seeking to determine the amount of the debt and not to enforce it until they obtain a judgment in this adversary proceeding. However, plaintiffs need to advise the court that they what they intend to do in the state court action and provide an estimate for a reasonable time table, and they should also advise whether they will seek an order pursuant to Federal Rule of Bankruptcy Procedure 9013 as to the discharge injunction. Appearances are required on 5/2/23, but counsel and self-represented parties must appear in person or remotely through Zoom for Government in accordance with the court's remote appearance instructions.

Prior tentative ruling as of 3/22/23. See tentative ruling for matter no. 6. Appearances are required on 3/28/23, but counsel and self-represented parties must appear in person or remotely through Zoom for Government in accordance with the court's remote appearance instructions.

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**CONT... Fereidoun Chaparli**

**Chapter 7**

Prior tentative ruling as of 1/19/23. No tentative ruling on the merits. Plaintiffs are to report on whether they intend to amend their complaint to claim a higher amount of damages, or to seek stay relief and proceed in state court to liquidate the amount of damages, or to proceed with the default judgment motion based on the current amount of damages alleged in the complaint. Appearances are required on 1/24/23, but counsel and self-represented parties must appear either in person in the courtroom or remotely through Zoom for Government in accordance with the court's remote appearance instructions.

<b>Party Information</b>
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**Debtor(s):**

Fereidoun Chaparli

Represented By  
John Asuncion

**Defendant(s):**

Fereidoun Chaparli

Pro Se

DOES 1-20

Pro Se

**Plaintiff(s):**

Hassan Roozafzai

Represented By  
Shahrokh Mokhtarzadeh

Ghodsieh "Vida" Roozafzai

Represented By  
Shahrokh Mokhtarzadeh

**Trustee(s):**

John P Pringle (TR)

Pro Se

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**2:17-23722 Kody Branch of California, Inc.**

**Chapter 7**

Adv#: 2:19-01466 Avery v. Gia Phu Fashion Garment Co.

**#3.00** Cont'd status conference re: Complaint for avoidance, recovery, and preservation of fraudulent and unauthorized postpetition transfers fr. 10/6/21, 12/8/21, 1/18/22, 11/15/22, 1/17/23, 3/21/23, 5/23/23, 6/27/23

Docket 1

**Tentative Ruling:**

The court has reviewed the parties' joint status report and will set the following pretrial schedule: (1) deadline to file motions to join other parties or to amend the pleadings: 4/30/22; (2) discovery cutoff date: 10/31/22; (3) deadline to file dispositive pretrial motions: 12/31/22; and (3) post-discovery status conference: 11/15/22 at 1:30 p.m. The court will order the matter referred to mediation, and the parties to file a selection of a mediator and an alternate mediator by 6/30/22 and complete mediation by 12/31/22. Plaintiff to lodge a proposed scheduling order within 7 days after the status conference. Appearances are required on 1/18/22, but counsel and self-represented parties must appear through Zoom for Government in accordance with the court's remote appearance instructions.

<b>Party Information</b>
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**Debtor(s):**

Kody Branch of California, Inc.

Represented By  
John-Patrick M Fritz

**Defendant(s):**

Gia Phu Fashion Garment Co.

Pro Se

**Plaintiff(s):**

Wesley H. Avery

Represented By  
David Wood  
D Edward Hays

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**CONT... Kody Branch of California, Inc.**

**Chapter 7**

**Trustee(s):**

Wesley H. Avery

Represented By  
Kristofer R McDonald  
Richard A Marshack  
D Edward Hays  
David Wood



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**2:17-23722 Kody Branch of California, Inc.**

**Chapter 7**

Adv#: 2:19-01468 Avery v. Baldwin Sun Inc.

**#4.00** Cont'd status conference re: Complaint for avoidance, recovery,  
and preservation of fraudulent and transfers  
fr. 1/18/22, 11/15/22, 1/17/23, 3/21/23, 5/23/23

Docket 1

**\*\*\* VACATED \*\*\* REASON: Order Continuing matter to 9/19/23 at 1:30  
p.m. ent. 6/21/23**

**Tentative Ruling:**

The court has reviewed the parties' joint status report and will set the following pretrial schedule: (1) deadline to file motions to join other parties or to amend the pleadings: 4/30/22; (2) nonexpert fact discovery cutoff date: 10/31/22; (3) expert witness fact discovery cutoff date: 12/31/22; (4) deadline to file dispositive pretrial motions: 12/31/22; and (4) post-discovery status conference: 11/15/22 at 1:30 p.m. The court will order the matter referred to mediation, and the parties to file a selection of a mediator and an alternate mediator by 6/30/22 and complete mediation by 12/31/22. Plaintiff to lodge a proposed scheduling order within 7 days after the status conference. Appearances are required on 1/18/22, but counsel and self-represented parties must appear through Zoom for Government in accordance with the court's remote appearance instructions.

<b>Party Information</b>
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**Debtor(s):**

Kody Branch of California, Inc.

Represented By  
John-Patrick M Fritz

**Defendant(s):**

Baldwin Sun Inc.

Pro Se

**Plaintiff(s):**

Wesley H Avery

Represented By

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**CONT... Kody Branch of California, Inc.**

**Chapter 7**

David Wood  
D Edward Hays

**Trustee(s):**

Wesley H. Avery

Represented By  
Kristofer R McDonald  
Richard A Marshack  
D Edward Hays  
David Wood

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**Tuesday, August 15, 2023**

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2:00 PM

**2:16-15322 Curtis C. Magleby**

**Chapter 11**

**#5.00** Status conference re: Management of chapter 11 case

fr. 5/2/23, 5/23/23

Docket 978

**Tentative Ruling:**

Debtor will need to discuss how he can confirm a plan, that is, whether he is able to fix the amounts of the administrative expense claims of the estate professionals, and whether he has obtained their agreement to defer full payment past plan effective date to meet the requirement of 11 U.S.C. 1129(a)(9)(A) or has sufficient funds to pay the claims by these effective date to demonstrate plan feasibility. The court recognizes that debtor has made progress in resolving disputes with creditors, but this case has been pending for a long time, over seven years. Appearances are required on 5/23/23, but counsel and self-represented parties must appear either in person in the courtroom or remotely through Zoom for Government in accordance with the court's remote appearance instructions.

<b>Party Information</b>
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**Debtor(s):**

Curtis C. Magleby

Represented By  
Illyssa I Fogel